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Message Text

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INFO OCT-01 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00

PM-07 INR-11 L-03 ACDA-19 NSAE-00 PA-04 RSC-01 PRS-01

SP-03 TRSE-00 SAJ-01 IO-14 NIC-01 EB-11 OMB-01 DODE-00

DRC-01 SS-20 NSC-07 COME-00 /131 W
---------- 003689
O P 081050Z AUG 74
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 4275
USMISSION NATO BRUSSELS IMMEDIATE
INFO USMISSION BERLIN PRIORITY
AMEMBASSY LONDON PRIORITY
AMEMBASSY PARIS PRIORITY
AMEMBASSY MOSCOW PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 BONN 12497

E.O. 11652: GDS
TAGS: PFOR, WB, GW, GE, US, UK, FR, UR
SUBJECT: BRIEFING FOR NATO ON BERLIN TRANSIT DIFFICULTIES

REFS: (A) STATE 172728
(B) BONN 12355
(C) USNATO 4245
(D) BONN 2268

1. AT AUGUST 7 BONN GROUP MEETING AGREEMENT WAS REACHED ON TEXT GIVEN BELOW FOR BRIEFING IN NATO, WHICH WOULD BE A PRESENTATION OF THE 3 POWERS AND THE FRG. TO GIVE OTHER NATO REPS AS COMPLETE A PICTURE AS POSSIBLE, IT WAS ALSO AGREED THAT THE TEXTS OF THE VARIOUS STATEMENTS AND NOTES, AS LISTED IN THE BRIEFING PAPER ITSELF, WOULD BE ATTACHED TO THE PAPER AS APPENDIXES (ALLIED NOTES TO SOVIETS OF OCTOBER 8 AND DECEMBER 29, 1973, AND OF JANUARY 29, 1974 -- THOUGH PARAPHRASED
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IN FEBRUARY 12 REPORT TO NATO ON THIS SUBJECT -- WOULD

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ALSO BE ATTACHED.) UK EMBASSY HERE HAS ALREADY POUCHED THESE DOCUMENTS TO UK NATO FOR ATTACHMENT THERE.
BEGIN TEXT

I. ON 12 FEBRUARY WE CIRCULATED A REPORT ON DIFFICULTIES EXPERIENCED EARLY THIS YEAR ON THE TRANSIT ROUTES BETWEEN BERLIN (WEST) AND THE FRG AND THEIR CONNECTION WITH THE ESTABLISHMENT OF THE FEA IN WEST BERLIN.

THE ESTABLISHMENT OF THE FEA

II. (I) AFTER THE CONCLUSION OF THE NECESSARY LEGISLATIVE PROCESSES THE FEA WAS FORMALLY ESTABLISHED IN BERLIN (WEST) ON 25 JULY 1974.

(II) ON 20 AND 21 JULY RESPECTIVELY THE SOVIET MINISTRY OF FOREIGN AFFAIRS AND THE GDR GOVERNMENT ISSUED STATEMENTS (ANNEXES A AND B) DENOUNCING THE ESTABLISHMENT OF THE FEA IN BERLIN (WEST) AS A VIOLATION OF THE QA. THE GDR STATEMENT SAID THAT THE USE OF THE TRANSIT ROUTES BY MEMBERS OF THE FEA STAFF AND THE TRANSPORT OF GOODS DESTINED FOR THE AGENCY WOULD BE REGARDED AS UNLAWFUL. THE SOVIET STATEMENT REFERRED IN MORE GENERAL TERMS TO MEASURES TO SAFEGUARD LEGITIMATE INTERESTS OF THE SOVIET UNION AND OF THE GDR.

(III) ON 22 JULY THE HEAD OF THE FRG PERMANENT REPRESENTATION MADE A DEMARCHE TO THE GDR MINISTRY OF FOREIGN AFFAIRS WITH REFERENCE TO THE GDR STATEMENT OF 20 JULY. HE POINTED OUT THAT THE ACTION FORESEEN IN THE GDR STATEMENT WOULD REPRESENT A VIOLATION OF THE TRANSIT TRAFFIC AGREEMENT (TTA). THE GDR REPRESENTATIVE MAINTAINED HIS GOVERNMENT'S POSITION.

III. EVENTS ON THE TRANSIT ROUTES
(I) BETWEEN 26 AND 31 JULY OVER 40 INCIDENTS INVOLVING TRAVELLERS ON THE TRANSIT ROUTES TO AND FROM BERLIN (WEST) WERE REPORTED TO THE FEDERAL GOVERNMENT. SINCE 31 JULY NO FURTHER INCIDENTS HAVE BEEN REPORTED TO THE FEDERAL GOVERNMENT. TRAVELLERS
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WERE REQUIRED TO PROVIDE INFORMATION OVER AND ABOVE THAT CONTAINED IN THEIR IDENTITY DOCUMENTS. SOME OF THEM WERE ASKED WHETHER THEY WORKED FOR THE F.E.A. THOSE WHO DECLINED TO PROVIDE SUCH INFORMATION WERE THREATENED WITH EXCLUSION FROM THE TRANSIT ROUTES. SOME TRAVELLERS WERE SINGLED OUT FOR SPECIAL QUESTIONING AND DELAYED FOR AN HOUR OR MORE, EVEN IF THEY ANSWERED IMMEDIATELY THE QUESTIONS PUT TO THEM AND

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GAVE PROOF OF OCCUPATION.

(II) IN THE SAME PERIOD A NUMBER OF LORRY DRIVERS WERE REQUIRED TO PROVIDE INFORMATION, OVER AND ABOVE THAT CONTAINED IN THEIR ACCOMPANYING DOCUMENTS, ABOUT THE USE AND THE DESTINATION OF THE GOODS THEY WERE CARRYING. SOME WERE ASKED WHETHER THE GOODS WERE FOR THE F.E.A.

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(III) ON 29 JULY A MEMBER OF THE FEA STAFF WAS DENIED USE OF THE TRANSIT ROUTES. AS GROUNDS FOR HIS EXCLUSION HE WAS TOLD THAT IT WAS "ON ACCOUNT OF THE ILLEGAL ESTABLISHMENT OF THE F.E.A. IN WEST BERLIN."
IV. FURTHER CONTACTS BETWEEN THE FRG AND THE GDR
(A) TRANSIT COMMISSION
(I) TWO TELEGRAMS ON 26 AND 28 JULY FROM THE

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HEAD OF THE FRG DELEGATION IN THE TRANSIT COMMISSION TO THE HEAD OF THE GDR DELEGATION REMAINED UNANSWERED. ON 30 JULY, IN VIEW OF THE EXCLUSION OF A MEMBER OF THE FEA STAFF FROM THE TRANSIT ROUTES THE FEDERAL GOVERNMENT CALLED FOR A SPECIAL MEETING OF THE TRANSIT COMMISSION.

(III) THE SPECIAL MEETING OF THE TRANSIT COMMISSION WHICH TOOK PLACE IN EAST BERLIN ON 6 AUGUST WAS NOT ABLE TO OVERCOME THE DIFFERENCES OF VIEW ON THE CONFIDENTIAL

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EXCLUSION OF THE MEMBER OF THE FEA FROM THE TRANSIT ROUTES NOR ON THE IMPEDIMENTS TO TRAVELLERS. THE GDR REPRESENTATIVE CONTESTED THE STATEMENT BY THE FRG REPRESENTATIVE THAT TRANSPORT OF GOODS HAD BEEN SUBJECT TO CONTROLS BEYOND THOSE PERMITTED UNDER THE TTA. THE FRG REPRESENTATIVE DECLARED THAT HE WOULD NEED TO SUBMIT THE ISSUE TO HIS GOVERNMENT FOR FURTHER CONSIDERATION.

(B) PERMANENT REPRESENTATIONS

MEANWHILE THE HEAD OF THE FRG PERMANENT REPRESENTATION HAD MADE A SECOND FRUITLESS DEMARCHE, ON 2 AUGUST, TO THE GDR MINISTRY OF FOREIGN AFFAIRS PROTESTING AGAINST THE DELAYS IN THE TRANSIT TRAFFIC AND AGAINST THE EXCLUSION OF A TRAVELLER FROM THE TRANSIT ROUTES.

V. ACTIONS OF THE THREE POWERS

(I) ON 24 JULY THE EMBASSIES OF THE THREE POWERS IN BONN ISSUED A STATEMENT SETTING OUT THEIR LONG-STANDING POSITION (ANNEX C).

(II) ON 5 AUGUST THE AMBASSADORS OF THE THREE POWERS IN MOSCOW MADE IDENTICAL DEMARCHES TO THE SOVIET MINISTRY OF FOREIGN AFFAIRS CALLING ON THE SOVIET GOVERNMENT TO FULFILL ITS CLEAR RESPONSIBILITY TO ENSURE THAT IN ACCORDANCE WITH THE QUADRIPARTITE AGREEMENT TRANSIT TRAFFIC OF CIVILIAN PERSONS AND GOODS BETWEEN THE WESTERN SECTORS OF BERLIN AND THE FRG REMAINS UNIMPEDED (ANNEX D).

3. COMMENT AND RECOMMENDATION. TEXT IS STRAIGHTFORWARD FACTUAL ACCOUNT WITH NO SPECULATION, AND EMBASSY SUGGESTS IT BE APPROVED FOR RAPID USE IN NATO. US IS THE CHAIRMAN ALLY IN BERLIN THIS MONTH, SO WE ASSUME ON WILL ACT ON BEHALF OF THE FOUR IN HAVING THE TEXT WITH ATTACHMENTS DISTRIBUTED IN NATO. HILLENBRAND

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